

Appln. No. 10/027,558

Comments dated Feb. 23, 2006

In Reply to Notice of Allowability of Jan. 12, 2006

REMARKS

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest "computing a DC compensation factor for a known pilot signal; receiving a first plurality of bits of an incoming pilot signal; computing a DC average for the received first plurality of bits of the incoming pilot signal; computing a compensated DC average for the first plurality of bits of the incoming pilot signal using the DC compensation factor and the DC average; adjusting at least an indication of the received first plurality of bits according to the computed compensated DC average; comparing the adjusted at least an indication of the received first plurality of bits with corresponding bits of the known pilot signal; and responsive to a threshold number of bits of the adjusted at least an indication of first plurality of bits matching the corresponding bits of the known pilot signal, outputting the compensated DC average for the first plurality of bits" as set forth in claim 1.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest "means for computing a DC compensation factor for a known pilot signal; means for receiving a first plurality of bits of an incoming pilot signal; means for computing a DC average for the received first plurality of bits of the incoming pilot signal; means for computing a compensated DC average for the first plurality of bits of the incoming pilot signal using the DC compensation factor and the DC average; means for adjusting at least an indication of the received first plurality of bits according to the computed compensated DC average; means for comparing the adjusted at least an indication of the received first plurality of bits with corresponding bits of the known pilot signal; and responsive to a threshold number of bits of the adjusted at least an indication of the received first plurality of bits matching the corresponding bits of the known pilot signal, means for outputting the compensated DC average for the first plurality of bits" as set forth in claim 14.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest "receiving a synchronization word; computing a DC average for a first portion of the received synchronization word; computing a DC compensation factor using a known synchronization word; computing a compensated DC average using the DC average and the DC compensation factor; determining whether a threshold number of bits of the first portion of the received synchronization word as adjusted by the DC

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compensation factor match corresponding bits in the known synchronization word; and responsive to a threshold number of bits of the first portion of the received synchronization word as adjusted by the DC compensation factor matching the corresponding bits in the known synchronization word, providing the compensated DC average to an offset tracking device" as set forth in claim 17.

Applicants respectfully submit that the Examiner's Statement might imply that the dependent claims are only allowable because they depend from allowed independent claims. However, the Examiner's Statement does not discuss any of the other elements of the claimed subject matter, in particular, those additional elements recited in the dependent claims which may render the dependent claims independently allowable in view of the specification, prosecution file history and/or the documents made of record, either alone or in combination.

Applicants respectfully submit that the Examiner's Statement presents only some of the reasons for allowance of the claims, and that other reasons also exist for allowing the claims such as, for example, those set forth more completely in the record as a whole. This interpretation is consistent with M.P.E.P. § 1302.14, which states that any statement of reasons for allowance "[i]s not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state all the reasons for allowance are set forth." M.P.E.P. § 1302.14.

Finally, Applicants agree with the Examiner that claims 1-5 and 14-18 are allowable in view of all of the documents made of record, either alone or in combination. However, Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. In closing, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, or the characterization of the recited claim elements should that need arise in the future.

If the Examiner has questions, or if Applicants can be of assistance, the Examiner is invited and encouraged to contact Applicants' representative at the below-listed telephone number.

FROM McANDREWS, HELD, & MALLOY

(THU) 2.23'06 16:10/ST. 16:08/NO. 4861050090 P 6

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The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: February 23, 2006

Respectfully submitted,



Michael T. Cruz

Reg. No. 44,636

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8084
Facsimile: (312) 775-8100